

REMARKS/ARGUMENTS

Applicants have amended claims 7 and 8 without prejudice or disclaimer. Claims 1-11 remain in the application.

In the Specification, the Title of the invention has been changed to be more descriptive of the claimed invention and reads as -- SYSTEM AND METHOD FOR RECEIVING BROADCAST INCIDENT NOTIFICATION IN A COMMUNICATION SYSTEM --

The objection is now believed to be overcome.

Claim Rejections – 35 U.S.C. § 102

Claims 1-3, 7-9 are rejected under 37 U.S.C. 102(e) as being anticipated by Childress et al (US 5,369,783).

Applicants amend in part and traverse in part. Claim 1 specifically recites: “the dispatch console automatically logging the unit ID of each subscriber unit that responds to an incident broadcast and forming a talkgroup of the logged unit IDs for future incident broadcasts.” Claim 7, as amended, recites the steps of: “automatically logging a unit ID associated with each of the two-way radios that responded to the incident alert at the dispatch console, and forming a grouping of the logged IDs at the dispatch console”. Claim 8, as amended, recites the steps of: “automatically grouping, at the dispatch console, the unit IDs associated with each of the subscriber units that responded to the broadcast”. The Childress reference utilizes predetermined lists and groupings see col. 29, lines 30-40 and the regroupings of Childress are done manually by an operator (for example, col. 29, lines 57-60 and col. 34, lines 20-21). Childress fails to teach or suggest a dispatcher console that automatically logs IDs and forms talkgroups with those IDs for future incident broadcasts without input from an operator. Accordingly, the rejection of claim 1, 7 and 8 is believed to

be overcome. Claims 2, 3, and 9 are dependent claims providing further limitations to what are believed to be allowable independent claims and hence are also in condition for allowance.

Claim Rejections – 35 U.S.C. § 103

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Childress in view of Burkley et al (US 2004/0070515).

Claims 4, 5 and 10, 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Childress in view of Borrás (US 5,175,872).

Claim 4, 5, 6, 10 and 11 are dependent claims providing further limitations to what are believed to be allowable independent claims. Hence, claims 4-6, 10 and 11 are also in condition for allowance.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

The Applicants believe that the subject application, as amended, is in condition for allowance. Such action is earnestly solicited by the Applicants.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

Please charge any fees that may be due to Deposit Account 502117, Motorola, Inc.

Respectfully submitted,

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